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**Thomas Communications**  
& Technologies

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Tel. (315) 426-8445  
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**Fax Memorandum**

PLEASE DELIVER TO

**Organization:** FCC  
**Attention:** E-rate Appeal  
**FAX Number:** 202-418-0187  
**Date:** 02/27/2006  
**Time:**  
**Page:** 1 of 6  
**From:** Jessica Nilsen

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**Project Number:****Regarding:** CC Docket No. 02-6☒ Hard copy will be mailed☒ Hard copy will not be mailed**Message**

Please see the attached appeal for:

Point Pleasant Board of Education  
Billed Entity Number: 123484  
471 Application: 457647

Hardcopy will follow in the mail.

Thank you,

*Jessica A Nilsen*

Jessica A. Nilsen

E-rate Production Manager

Telephone: 315-426-8445

E-mail: jan@thethomasgroup.com

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If transmission is not received as noted, kindly notify us at once.

# POINT PLEASANT SCHOOLS

Steven W. Corso, CPA  
School Business Administrator/Board Secretary

2100 Panther Path  
Point Pleasant, NJ 08742  
(732) 701-1900, Ext. 2410  
Fax: (732) 295-2320

February 27, 2006

Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

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Re: Request for Review-FCC Form 471 Application Number 457647  
CC Docket No. 02-6  
Billed Entity Number: 123484

To Whom It May Concern:

The purpose of this letter is to appeal the Schools & Libraries Division's (SLD) decision to deny funding for Application 457647 for Point Pleasant Board of Education. This decision was set forth in the Funding Commitment Decision Letter dated November 2, 2005 and confirmed in an Administrator's Decision on Appeal Letter dated December 28, 2005.

On August 2, 2005, the district received notification that we were chosen for a Selective Review. Denise DeRosa files all of the district's E-rate forms and maintains all of the necessary documentation for our district. Denise was on maternity leave at the time of the notification of Selective Review, and she was not scheduled to return until November 2005. Therefore, we requested an extension until her return. We believe this extension was warranted since the nature and detail of the information requested during a Selective Review requires the respondent to be familiar with the original Form 470, bidding process and Form 471. However, an extension was granted until October, and our application was subsequently denied since we could not provide the requested information in a timely manner.

While the district is aware that the SLD must maintain certain guidelines in order to expedite the review of applications, we are also aware that the SLD will grant extensions under certain circumstances. For instance, a Program Integrity Assurance Request may be postponed while staff members are out of the office over the summer. A Selective Review is a more formal procedure than a Program Integrity Assurance Request, and as mentioned above, requires significant documentation and detail. In order to respond correctly and completely to the request, we had to wait until Denise DeRosa returned to the office. Her knowledge of the E-rate forms, procedures and guidelines and her knowledge of the district's applications was required to answer the Selective Review questions. Given the severity of a Selective Review, we believe an extension until Denise DeRosa's return was justified and should have been granted.

Federal Communications Commission,  
Page 2

February 27, 2006

At this time, we request the opportunity to complete and submit our Selective Review for Funding Year 2005. We appreciate your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven W. Corso", with a long horizontal flourish extending to the right.

Steven W. Corso, CPA  
School Business Administrator/Board Secretary



**Universal Service Administrative Company**  
Schools & Libraries Division

**Administrator's Decision on Appeal – Funding Year 2005-2006**

December 28, 2005

Steven W. Corso  
Point Pleasant Board of Education  
2100 Panther Path  
Point Pleasant, NJ 08742-3770

Re: Applicant Name: POINT PLEASANT BORO SCH DIST  
Billed Entity Number: 123484  
Form 471 Application Number: 457647  
Funding Request Number(s): 1265479, 1265506, 1265586, 1265662, 1269143,  
1269151, 1269182, 1269202  
Your Correspondence Dated: November 28, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1265479, 1265506, 1265586, 1265662, 1269143,  
1269151, 1269182, 1269202

Decision on Appeal: **Denied**

Explanation:

- On appeal, you seek reversal of the SLD's decision to deny these funding requests. You state that the District received notification that it was chosen for Selective Review on August 2, 2005. Due to personnel shortages and a heavy workload, the District requested and was granted a 60-day extension to provide a response. On October 3, 2005, the District received a fax requiring the Selective Review be submitted by October 10, 2005; however, understaffing did not allow for the District to complete its response. You further state that an e-mail was sent to the selective reviewer on October 24, 2005 requesting an additional extension. In response, the district received an Out of Office notification indicating that the selective reviewer would not return until October 27, 2005. The District re-sent

the e-mail request on October 27, 2005. However, the District did not receive a response until it received its Funding Commitment Decision Letter dated November 2, 2005. Based on this information, you request the opportunity to complete and submit the District's Selective Review for Fund Year 2005-2006.

- Upon review of the appeal and its relevant documentation, it was determined that the District was sent a Selective Review Information Request (SRIR) on July 25, 2005. The District requested and was granted a 60-day extension to provide its response. When the District failed to respond, the SLD re-sent the SRIR on October 3, 2005. This request informed the District that a response was due by October 10, 2005 and that failure to respond may impact its application. On appeal, you have acknowledged that the District had failed to respond in a timely manner, but argue that the District had attempted to request extensions on October 24 and October 27, 2005. However, these extensions were requested after the response due date of October 10, 2005 and were not granted because the selective reviewer was out of the office at the time. As of October 27, 2005, the district had not sent in any of the requested documentation, your application was processed with the information at hand. As this information was insufficient to verify the District's Item 25 and Competitive Bid certifications, the application was denied in its entirety. Program rules require applicants to respond to the SLD's requests in a timely manner. You have failed to provide evidence that you have responded to the SLD's requests in a timely manner, or that the SLD has erred in its decision.
- During the review of your Form 471, SLD sought additional information from you and notified you that this information needed to be provided within 7 days. You did not provide this information within 7 days or within any extended timeframe we agreed upon, or the information that you provided was insufficient to complete your Form 471 application. Consequently, SLD denies your appeal.
- SLD reviews Form 471 applications and makes funding commitment decisions in compliance with FCC rules. See 47 C.F.R. § 54.500 *et. seq.* To conduct these reviews, SLD has put in place administrative measures to ensure the prompt resolution of applications. See *Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd. 4520, DA 03-764, ¶ 6 (rel. Mar. 13, 2003). (Marshall County) One such measure is that applicants are required to respond to SLD's requests for the additional information necessary to complete their application within 7 days of being contacted. *Id.*; SLD section of the USAC web site, Reference Area, "Deadline for Information Requests," [www.sl.universalservice.org/reference/deadline.asp](http://www.sl.universalservice.org/reference/deadline.asp) This procedure is necessary to prevent undue delays during the application review process. See *Marshall County* ¶ 6. If applicants do not respond within this time period, SLD reviews the application based on the information before it.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC.

You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC.  
~~Your appeal must be received or postmarked within 60 days of the date on this letter.~~  
Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company